

1 Timothy R. Titolo, Esq.
2 Nevada Bar No. 003617
3 TITOLO LAW OFFICE
4 9950 West Cheyenne Ave.
5 Las Vegas, Nevada 89129
6 (702) 869-5100
7 tim@titololaw.com

8 John D. McKay, Esq.
9 *Admitted pro hac vice*
10 PARK AVENUE LAW LLC
11 127 W. Fairbanks Ave. No. 519
12 Winter Park, Florida 32789
13 (800) 391-3654
14 johndmckayatty@gmail.com

15 ***Attorneys for Plaintiffs***

16
17 **UNITED STATES DISTRICT COURT**
18 **FOR THE DISTRICT OF NEVADA**

19 PETER DELVECCHIA, *et al.*,) **Case No: 2:19-CV-01322-KJD-DJA**
20 Plaintiffs,)
vs.)
21 FRONTIER AIRLINES, INC., *et al.*,) **PLAINTIFFS' RULE 41(a)(1)(A)(i)**
22 Defendants.) **NOTICE OF DISMISSAL OF**
23) **DEFENDANT SHAWN MULLIN**
24)
25)
26)
27)
28)

29 Pursuant to the authority of Fed. R. Civ. P. 41(a)(1)(A)(i) and the Ninth Circuit's holding in
30 *Pedrina v. Han Kuk Chun*, 987 F.2d 608 (9th Cir. 1993), Plaintiffs, Peter DelVecchia individually and
31 as next friend of A. D., a minor, by counsel, hereby give notice of their dismissal of their claims
32 against **Defendant Shawn Mullin, in his individual capacity, without prejudice**. Per the holding in
33 *Pedrina*, this Notice of Dismissal applies solely to Defendant Shawn Mullin and does not dismiss the
34 action as a whole, or Plaintiffs' claims against any other Defendant. Moreover, this Notice of

Dismissal does not affect any liability of Defendant Frontier Airlines, Inc. under the doctrine of *respondeat superior* for the negligence and/or intentional acts of its employee Shawn Mullin.

DATED this 28th day of May, 2020.

/s/ John D. McKay
John D. McKay (admitted *pro hac vice*)
PARK AVENUE LAW LLC
127 W. Fairbanks Ave., No. 519
Winter Park, FL 32789
johndmckayatty@gmail.com
(800) 391-3654

Timothy R. Titolo (Nev. Bar. No. 3617)
TITOLO LAW OFFICE
9950 West Cheyenne Avenue
Las Vegas, Nevada 89129
(702) 869-5100
tim@titololaw.com

*Attorneys for Plaintiffs Peter DelVecchia
And A.D., a Minor*